

THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

RALPH J. STEIN  
XXX-XX-0114  
4319 HOLLOW OAK DRIVE  
DALLAS, TX 75287

BONNIE J. STEIN  
XXX-XX-6310

DEBTORS

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CASE NO. 06-40948-R

CHAPTER 13

MOTION TO DISMISS AND SETTING HEARING

**THE TRUSTEE REQUESTS THE COURT TO SET THIS MOTION FOR HEARING  
ON December 1, 2010, AT 10:00 am AS FOLLOWS:**

**Plano Bankruptcy Courtroom  
Wells Fargo Bank Building  
660 North Central Expressway  
Plano, Texas 75074**

COMES NOW JANNA L. COUNTRYMAN, the Standing Chapter 13 Trustee, and files this her Motion to Dismiss and Setting Hearing in the above numbered and styled proceeding, and for cause would show the Honorable Court as follows:

1. The Debtors' Chapter 13 Plan was confirmed by this Court on March 15, 2007. The Trustee's Recommendation Concerning Claims was approved by this Court on May 21, 2007, and is attached hereto as Exhibit A and incorporated herein by reference.
2. The Debtors' Plan does not provide enough funding to pay claims as approved in the Trustee's Recommendation Concerning Claims. Specifically, the Debtors' Plan is underfunded because allowed amounts for the claims as reflected in the approved Trustee's Recommendation Concerning Claims exceed the total amount the Debtors are to pay. The Debtors agreed to pay all allowed unsecured claims in full as a condition of confirmation. An additional \$44,715.65 is necessary to fund the Plan within the original plan term. No modification has been proposed to include such amount.
3. Notice of such deficiency was sent to the Debtors' attorney and the Debtors on April 16, 2007.

4. The failure of the Debtors to cure the infeasibility of the Plan constitutes an unreasonable delay by the Debtors that is prejudicial to creditors under 11 USC §1307(c)(1), and thus cause exists for dismissal. Further, the Trustee would represent that the failure of the Debtors to cure the underfunding of the Plan constitutes additional cause for dismissal pursuant to 11 USC §1307(c)(6) of the Bankruptcy Code.

WHEREFORE, PREMISES CONSIDERED, Janna L. Countryman, the Standing Chapter 13 Trustee, prays that this case be dismissed for cause and for such other and further relief to which she may be entitled.

Respectfully submitted,

/s/ Greg R. Arnove

Janna L. Countryman, TBN 04888050

Greg R. Arnove, TBN 00783562

Office of the Standing Chapter 13 Trustee

500 North Central Expressway, Suite 350

Plano, Texas 75074

(972) 943-2580 / Fax (972) 943-8050

THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

RALPH J. STEIN  
XXX-XX-0114  
4319 HOLLOW OAK DRIVE  
DALLAS, TX 75287

BONNIE J. STEIN  
XXX-XX-6310

DEBTOR(S)

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§  
§  
§

CASE NO. 06-40948-R

CHAPTER 13

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS  
(WITH NOTICE OF BAR DATE FOR ADDITIONAL OBJECTIONS TO CLAIMS)**

**Notice Regarding Trustee's Recommendation Concerning Claims:**

THIS DOCUMENT SHALL CONSTITUTE AN **OBJECTION TO YOUR CLAIM** UNLESS THE RECOMMENDATION IN THIS DOCUMENT CONCERNING YOUR CLAIM ACCEPTS YOUR PROOF OF CLAIM PRECISELY AS FILED.

NO HEARING WILL BE CONDUCTED ON THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE TRUSTEE WITHIN **THIRTY (30) DAYS** FROM DATE OF SERVICE, UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH RESPONSE OR OBJECTION.

IF NO OBJECTION IS TIMELY SERVED AND FILED TO THIS DOCUMENT, THE TRUSTEE'S RECOMMENDATION CONCERNING YOUR CLAIM SHALL BE SUSTAINED AS UNOPPOSED AND YOUR CLAIM SHALL BE ALLOWED ONLY AS SET FORTH IN THIS DOCUMENT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

**Notice of Deadline for Filing Objections to Claim:**

YOU ARE FURTHER NOTIFIED that the **deadline for filing an objection** to the allowance of any proof of claim filed in this case, or to avoid or otherwise challenge the validity of any security interest claimed in any proof of claim in this case, is the **twenty-first (21<sup>st</sup>) day** following the date of service of this document.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Janna L. Countryman, Trustee in these proceedings, and making this her recommendation concerning claims, would respectfully show the Court as follows:

1. All parties are specifically advised that, among others, LBR 3015 shall apply to this Trustee's Recommendation Concerning Claims.
2. The time for filing claims in this proceeding has expired. The Trustee has reviewed all of the claims filed in this proceeding. Attached are Schedules I and II containing the Trustee's recommendations as to various matters concerning claims, including the amount of each creditor's claim, as well as the extent and validity of each creditor's security interest, if any.

3. If a party in interest disagrees with any of the Trustee's recommendations, such party may file a response to the Trustee's objections or other recommendations, or may file an objection to any claim disputed. However, responses to the Trustee's recommendations MUST BE FILED within thirty (30) days from the date of service hereof, and objections to claims MUST BE FILED within twenty-one (21) days from service hereof. Each claim for which there is no timely filed response or objection will be treated as listed in the attached Schedules, AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES WITHOUT FURTHER ORDER OF THE COURT.

#### VALUATION OF COLLATERAL

4. The Court has previously made a final and binding determination of the value of certain property, which may constitute collateral securing certain creditors' claims. These valuations are of the collateral specified and provided for under the Debtor's Plan as of the confirmation, as well as any other collateral valued at the confirmation hearing or other hearing held by the Court. All such valuations have been given effect in the treatment of such creditor's claims as set forth in Schedules I and II.
5. Certain creditors may have timely filed proofs of claim which evidenced a perfected security interest in additional collateral not previously valued by the Court. The Trustee has made a recommendation to the Court in Schedules I and II concerning the value of such collateral and the treatment of each such creditor's claim herein. Such recommendation is deemed to be a motion to determine the value of such creditor's secured claim. UNLESS A RESPONSE IS FILED TO SUCH VALUATION AND TREATMENT OF SUCH CREDITOR'S CLAIM WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE HEREOF, SUCH VALUATION OF COLLATERAL AND TREATMENT OF THE CREDITOR'S CLAIM WILL BE FINAL AND BINDING ON ALL PARTIES WITHOUT FURTHER ORDER OF THE COURT.

#### TRUSTEE'S OBJECTIONS TO CLAIMS

6. The Trustee contests the amounts or the validity or extent of the security interest listed in the proofs of claim in the attached Schedule I to the Trustee's Recommendation Concerning Claims. If no response or objection is timely filed, such claim will be treated in the manner and amount listed on the attached Schedules to the Trustee's Recommendation Concerning Claims
7. Parties in interest should carefully examine the attached Schedules to the Trustee's Recommendation Concerning Claims. If any party disagrees with the Trustee's recommendation concerning the amount or status of any claim, such party must file a response within thirty (30) days from the date of service hereof, or the Trustee's recommendation will become final and binding.
8. If the Trustee's recommendation concerning any claim differs from the amount indicated in the creditor's Proof of Claim, the recommendation is deemed to be an objection to such claim. Unless a timely response or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount listed in the attached Schedules to the Trustee's Recommendation Concerning Claims.
9. If the Trustee's recommendation concerning a creditor's claim indicates that such creditor is not a secured creditor, the recommendation is deemed to be an action to determine the validity of such creditor's security interest or to avoid such creditor's security interest. Unless a timely response or objection is filed contesting the Trustee's recommendation, the security interest will be avoided or disallowed in accordance with the attached Schedules to the Trustee's Recommendation Concerning Claims.

CREDITORS SHOULD TAKE NOTICE THAT THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS MAY INCLUDE AN OBJECTION TO THE AMOUNT OF A CREDITOR'S PROOF OF CLAIM OR TO A CREDITOR'S SECURED STATUS. PARTIES MUST RESPOND WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE HEREOF OR THE ATTACHED TREATMENT OF SUCH CLAIM WILL BE FINAL.

10. The amounts in the attached Schedule II to the Trustee's Recommendation Concerning Claims were taken directly from the proofs of claims. The Trustee does not contest these claims. If the Debtors or any creditors contest any of these claims, an objection to each claim must be filed within twenty-one (21) days from the date of service hereof.

NOTICE OF BAR DATE FOR OBJECTIONS TO CLAIMS

DEBTORS AND CREDITORS SHOULD TAKE NOTICE THAT THE COURT HAS SET A BAR DATE FOR OBJECTIONS TO CLAIMS. ANY ADDITIONAL OBJECTIONS TO CLAIMS MUST BE FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE HEREOF OR THE ATTACHED TREATMENT OF CLAIMS WILL BE FINAL.

11. Responses to the Trustee's recommendation must be filed within thirty (30) days from the date of service hereof, and additional objections to claims must be filed within twenty-one (21) days from the date of service hereof, with the United States Bankruptcy Clerk, 660 North Central Expressway, Plano, TX 75074, and served on the appropriate parties in accordance with the Bankruptcy Rules.

Respectfully submitted,

/s/ Janna L. Countryman

Janna L. Countryman, TBN 04888050

Greg R. Arnove, TBN 00783562

Office of the Standing Chapter 13 Trustee

500 North Central Expressway, Suite 350

Plano, Texas 75074

(972) 943-2580 / Fax (972) 943-8050

CASE NO. 06-40948-R

SCHEDULE I

CREDITOR	AMOUNT	INTEREST RATE	CLAIM TYPE
		MONTHLY PAYMENT	DESCRIPTION TREATMENT
GEORGE A. SHELBURNE ATTORNEY AT LAW 6116 NORTH CENTRAL, SUITE 920 DALLAS, TX 75206	1,750.00		ORIGINAL ATTORNEY  FEES PAID DIRECT
ATTORNEY GENERAL CHILD SUPPORT DIVISION 5201 E RL THORNTON FRWY #210 DALLAS, TX 75223-2235	0.00	0.00  0.00	NOTICE ONLY
ATTORNEY GENERAL OF TEXAS COLLECTIONS/BANKRUPTCY P. O. BOX 12400 AUSTIN, TX 78711-2400	0.00	0.00  0.00	NOTICE ONLY
AUTOMOTIVE FINANCIAL SERVICES NATIONAL BANKRUPTCY SERVICE P. O. BOX 537950 LIVONIA, MI 48153-7950	0.00	0.00  0.00	NOTICE ONLY
BANK OF AMERICA P. O. BOX 1598  NORFOLK, VA 23501-1598	0.00	0.00  0.00	SECURED  LAND ROVER DISCOVERY TO BE PAID DIRECT BY DEBTOR
B-LINE, LLC/CREDITRUST MAIL STOP 550 2101 FOURTH AVE., SUITE 1030 SEATTLE, WA 98121	0.00	0.00  0.00	NOTICE ONLY
CHASE MANHATTAN BANK P. O. BOX 15919  WILMINGTON, DE 19850-5919	0.00	0.00  0.00	NOTICE ONLY

COMPTROLLER OF PUBLIC ACCTS REVENUE ACCTG. / BANKRUPTCY P. O. BOX 13528 AUSTIN, TX 78711-3528	0.00	0.00	NOTICE ONLY
		0.00	
CUSHMAN AND WAKEFIELD 12830 HILLCREST SUITE 110 DALLAS, TX 75230	0.00	0.00	NOTICE ONLY
		0.00	OFFICE LEASE
DALLAS COUNTY TAX COLLECTOR % LINEBARGER GOGGAN ET AL 2323 BRYAN STREET, SUITE 1600 DALLAS, TX 75201-2644	0.00	0.00	TAXES/SECURED
		0.00	COURT CLAIM REGISTRY # 3 2006 TAX CLAIM WITHDRAWN, CLAIM NOT TO BE PAID (COURT DOCKET # 33)
DISCOVER CARD SERVICES P. O. BOX 15316  WILMINGTON, DE 19850-5316	0.00	0.00	NOTICE ONLY
		0.00	CREDIT CARD
ETHAN ALLEN % GEMB P. O. BOX 981439 EL PASO, TX 79998-1439	0.00	0.00	NOTICE ONLY
		0.00	
GE CONSUMER FINANCE % GE CAPITAL CONSUMER CARD CO. P. O. BOX 960061 ORLANDO, FL 32896-0661	0.00	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 8 OFFICE FURNITURE CLAIM WITHDRAWN, CLAIM NOT TO BE PAID (COURT DOCKET # 34)
GE CONSUMER FINANCE % GE CAPITAL CONSUMER CARD CO. P. O. BOX 960061 ORLANDO, FL 32896-0661	0.00	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 9 OFFICE FURNITURE CLAIM WITHDRAWN, CLAIM NOT TO BE PAID (COURT DOCKET # 34)
GEORGE A. SHELBURNE ATTORNEY AT LAW 6116 NORTH CENTRAL, SUITE 920 DALLAS, TX 75206	0.00	0.00	PRIORITY
		0.00	COURT CLAIM REGISTRY # 6 CPA FEES- WD CLM CLAIM WITHDRAWN, CLAIM NOT TO BE PAID (COURT DOCKET # 32)

GEORGE A. SHELBURNE ATTORNEY AT LAW 6116 NORTH CENTRAL, SUITE 920 DALLAS, TX 75206	1,750.00	0.00	ORIGINAL ATTORNEY
		0.00	ORIGINAL ATTY TO BE PAID AS ADMINISTRATIVE

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INTERNAL REVENUE SERVICE P. O. BOX 21125  PHILADELPHIA, PA 19114	93,936.47	0.00	PRIORITY
		0.00	COURT CLAIM REGISTRY # 10 01-02 TAX TO BE PAID AS PRIORITY

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INTERNAL REVENUE SERVICE P. O. BOX 21126  PHILADELPHIA, PA 19114-0326	0.00	0.00	NOTICE ONLY
		0.00	

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LINEBARGER GOGGAN BLAIR ET AL 2323 BRYAN STREET, SUITE 1600  DALLAS, TX 75201-2644	0.00	0.00	NOTICE OF APPEARANCE
		0.00	DALLAS COUNTY

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MANAGEMENT SERVICES, INC. P. O. BOX 3671  DES MOINES, IA 50322-0674	0.00	0.00	NOTICE ONLY
		0.00	

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NATIONAL CITY MORTGAGE CO. 3232 NEWMARK DRIVE  MIAMISBURG, OH 45342	309,760.03	0.00	MORTGAGE ON-GOING PAYMENTS
		0.00	COURT CLAIM REGISTRY # 4 HOMESTEAD TO BE PAID DIRECT BY DEBTOR

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NATIONAL CITY MORTGAGE CO. P. O. BOX 1820  DAYTON, OH 45401	0.00	0.00	NOTICE ONLY
		0.00	

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NEIMAN MARCUS P. O. BOX 720848  DALLAS, TX 75372-0848	0.00	0.00	NOTICE ONLY
		0.00	

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NEIMAN MARCUS P. O. BOX 729080  DALLAS, TX 75372-9080	0.00	0.00	NOTICE ONLY  0.00
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NORDSTROM P. O. BOX 79134  PHOENIX, AZ 85062-9134	0.00	0.00	NOTICE ONLY  0.00
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RECOVERY MANAGEMENT SYSTEMS 25 SOUTHEAST 2ND AVENUE SUITE 1120 MIAMI, FL 33131	0.00	0.00	NOTICE ONLY  0.00
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SEARS % CITI USA P. O. BOX 182149 COLUMBUS, OH 43228	0.00	0.00	NOTICE ONLY  0.00 CREDIT CARD
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SEARS BANKRUPTCY RECOVERY P. O. BOX 3671  DES MOINES, IA 50322-0674	0.00	0.00	NOTICE ONLY  0.00
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SUNTRUST BANK ATTN: SUPPORT SERVICES P. O. BOX 85092 RICHMOND, VA 23286	16,835.07	0.00	SECURED  0.00
			COURT CLAIM REGISTRY # 11 04 VOLKSWAGON JETTA TO BE PAID DIRECT BY DEBTOR

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SUNTRUST BANK MAIL CODE 9207 P. O. BOX 4986 ORLANDO, FL 32802-4986	0.00	0.00	NOTICE ONLY  0.00
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TEXAS WORKFORCE COMMISSION TAX DEPARTMENT 101 EAST 15TH STREET AUSTIN, TX 78778-0001	0.00	0.00	NOTICE ONLY  0.00
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US ATTORNEY EASTERN DISTRICT OF TEXAS 110 NORTH COLLEGE, SUITE 700 TYLER, TX 75702-7237	0.00	0.00	NOTICE ONLY
		0.00	
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US ATTORNEY GENERAL MAIN JUSTICE BUILDING 10TH & CONSTITUTION AVENUE NW WASHINGTON, DC 20530-0001	0.00	0.00	NOTICE ONLY
		0.00	
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VOLVO FINANCE P. O. BOX 680170  FRANKLIN, TN 37068	42,156.23	0.00	SECURED
		0.00	COURT CLAIM REGISTRY # 2 04 VOLVO XC90 TO BE PAID DIRECT BY DEBTOR
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VOLVO FINANCE NA 10 LINK DRIVE  ROCKLEIGH, NJ 07647-2509	0.00	0.00	NOTICE ONLY
		0.00	
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CASE NO. 06-40948-R

SCHEDULE II

CREDITOR	AMOUNT	INTEREST RATE	CLAIM TYPE
		MONTHLY PAYMENT	DESCRIPTION TREATMENT
B-LINE, LLC % WEINSTEIN, TREIGER & RILEY 2101 FOURTH AVENUE, SUITE 900 SEATTLE, WA 98121	12,173.66	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 7 CHASE TO BE PAID AS UNSECURED
DISCOVER FINANCIAL SERVICES P. O. BOX 3025  NEW ALBANY, OH 43054-3025	6,794.73	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 1  TO BE PAID AS UNSECURED
ECAST SETTLEMENT CORP. P. O. BOX 7247-6971  PHILADELPHIA, PA 19170-6971	5,310.00	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 13 NEIMAN MARCUS TO BE PAID AS UNSECURED
ECAST SETTLEMENT CORPORATION P. O. BOX 35480  NEWARK, NJ 07193-5480	2,243.33	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 12 CHASE BANK USA. N.A. TO BE PAID AS UNSECURED
INTERNAL REVENUE SERVICE P. O. BOX 21125  PHILADELPHIA, PA 19114	15,464.03	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 10  TO BE PAID AS UNSECURED
LVNV FUNDING LLC % RESURGENT CAPITAL SERVICES P. O. BOX 10587 GREENVILLE, SC 29603-0587	2,244.16	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 14 CITIBANK TO BE PAID AS UNSECURED
NORDSTROM P. O. BOX 6566  ENGLEWOOD, CO 80155-6566	1,439.89	0.00	UNSECURED
		0.00	COURT CLAIM REGISTRY # 5 CREDIT CARD TO BE PAID AS UNSECURED

IN RE:

DEBTOR(S)

[illegible]

CHAPTER 13

## ClaimRecommendations

CASE NUMBER: 06-40948-R

ATTORNEY GENERAL  
CHILD SUPPORT DIVISION  
5201 E RL THORNTON FRWY #210  
DALLAS, TX 75223-2235

ATTORNEY GENERAL OF TEXAS  
COLLECTIONS/BANKRUPTCY  
P. O. BOX 12400  
AUSTIN, TX 78711-2400

AUTOMOTIVE FINANCIAL SERVICES  
NATIONAL BANKRUPTCY SERVICE  
P. O. BOX 537950  
LIVONIA, MI 48153-7950

BANK OF AMERICA  
P. O. BOX 1598  
NORFOLK, VA 23501-1598

B-LINE, LLC  
% WEINSTEIN, TREIGER & RILEY  
2101 FOURTH AVENUE, SUITE 900  
SEATTLE, WA 98121

B-LINE, LLC/CREDITRUST  
MAIL STOP 550  
2101 FOURTH AVE., SUITE 1030  
SEATTLE, WA 98121

CHASE MANHATTAN BANK  
P. O. BOX 15919  
WILMINGTON, DE 19850-5919

COMPTROLLER OF PUBLIC ACCTS  
REVENUE ACCTG. / BANKRUPTCY  
P. O. BOX 13528  
AUSTIN, TX 78711-3528

CUSHMAN AND WAKEFIELD  
12830 HILLCREST  
SUITE 110  
DALLAS, TX 75230

DALLAS COUNTY TAX COLLECTOR  
% LINEBARGER GOGGAN ET AL  
2323 BRYAN STREET, SUITE 1600  
DALLAS, TX 75201-2644

DISCOVER CARD SERVICES  
P. O. BOX 15316  
WILMINGTON, DE 19850-5316

DISCOVER FINANCIAL SERVICES  
P. O. BOX 3025  
NEW ALBANY, OH 43054-3025

ECAST SETTLEMENT CORP.  
P. O. BOX 7247-6971  
PHILADELPHIA, PA 19170-6971

ECAST SETTLEMENT CORPORATIO  
P. O. BOX 35480  
NEWARK, NJ 07193-5480

ETHAN ALLEN  
% GEMB  
P. O. BOX 981439  
EL PASO, TX 79998-1439

GE CONSUMER FINANCE  
% GE CAPITAL CONSUMER CARD CO.  
P. O. BOX 960061  
ORLANDO, FL 32896-0661

GEORGE A. SHELBURNE  
ATTORNEY AT LAW  
6116 NORTH CENTRAL, SUITE 920  
DALLAS, TX 75206

INTERNAL REVENUE SERVICE  
P. O. BOX 21126  
PHILADELPHIA, PA 19114-0326

INTERNAL REVENUE SERVICE  
P. O. BOX 21125  
PHILADELPHIA, PA 19114

LINEBARGER GOGGAN BLAIR ET AL  
2323 BRYAN STREET, SUITE 1600  
DALLAS, TX 75201-2644

LVNV FUNDING LLC  
% RESURGENT CAPITAL SERVICES  
P. O. BOX 10587  
GREENVILLE, SC 29603-0587

MANAGEMENT SERVICES, INC.  
P. O. BOX 3671  
DES MOINES, IA 50322-0674

NATIONAL CITY MORTGAGE CO.  
3232 NEWMARK DRIVE  
MIAMISBURG, OH 45342

NATIONAL CITY MORTGAGE CO.  
P. O. BOX 1820  
DAYTON, OH 45401

NEIMAN MARCUS  
P. O. BOX 729080  
DALLAS, TX 75372-9080

NEIMAN MARCUS  
P. O. BOX 720848  
DALLAS, TX 75372-0848

NORDSTROM  
P. O. BOX 6566  
ENGLEWOOD, CO 80155-6566

NORDSTROM  
P. O. BOX 79134  
PHOENIX, AZ 85062-9134

RECOVERY MANAGEMENT SYSTEM  
25 SOUTHEAST 2ND AVENUE  
SUITE 1120  
MIAMI, FL 33131

SEARS  
% CITI USA  
P. O. BOX 182149  
COLUMBUS, OH 43228

SEARS BANKRUPTCY RECOVERY  
P. O. BOX 3671  
DES MOINES, IA 50322-0674

SUNTRUST BANK  
MAIL CODE 9207  
P. O. BOX 4986  
ORLANDO, FL 32802-4986

SUNTRUST BANK  
ATTN: SUPPORT SERVICES  
P. O. BOX 85092  
RICHMOND, VA 23286

TEXAS WORKFORCE COMMISSION  
TAX DEPARTMENT  
101 EAST 15TH STREET  
AUSTIN, TX 78778-0001

US ATTORNEY  
EASTERN DISTRICT OF TEXAS  
110 NORTH COLLEGE, SUITE 700  
TYLER, TX 75702-7237

US ATTORNEY GENERAL  
MAIN JUSTICE BUILDING  
10TH & CONSTITUTION AVENUE NW  
WASHINGTON, DC 20530-0001

VOLVO FINANCE  
P. O. BOX 680170  
FRANKLIN, TN 37068

VOLVO FINANCE NA  
10 LINK DRIVE  
ROCKLEIGH, NJ 07647-2509

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion to Dismiss and Setting Hearing has been served upon the following parties in interest by mailing a copy of same to them via first class mail and uploaded to the Court for service by the Bankruptcy Noticing Center to the parties on the Court's mailing matrix on the date set forth below.

RALPH J. STEIN  
BONNIE J. STEIN  
4319 HOLLOW OAK DRIVE  
DALLAS, TX 75287

GEORGE A. SHELBURNE  
ATTORNEY AT LAW  
6116 NORTH CENTRAL, SUITE 920  
DALLAS, TX 75206

Dated: November 08, 2010

/s/ Greg R. Armove  
Office of the Standing Chapter 13 Trustee